

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
WHEELING DIVISION**

In re:	)		5:19-cv-259
	)	Chapter 11	Judge Bailey
WELDED CONSTRUCTION, L.P.)		
	)	Case No. 18-12378 (KG) (Bankr. D. Del.)	
Debtor.)		
	)	(Jointly Administered)	
)		
WORLDWIDE MACHINERY, LTD.,)		
)		
Plaintiff,)		
)		
v.	)	Civil Action No. _____	
	)	(Removal from Circuit Court of Wetzel	
COLUMBIA GAS TRANSMISSION, LLC,	)	County, Civil Action No. 19-C-45)	
)		
Defendant.)		
)		

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§ 1334(b), 1452, 1332, 1367, 1441(b) and 1446, and Federal Rule of Bankruptcy Procedure 9027, the Defendant, Columbia Gas Transmission, LLC (incorrectly designated “Columbia Gas Transmission Corporation, now known as Columbia Gas Transmission, LLC” in the Complaint) by counsel, gives notice of removal of the above-captioned action from the Circuit Court of Wetzel County, West Virginia, to the United States Bankruptcy Court for the Northern District of West Virginia. In support thereof, the Defendant states as follows:

I. NATURE OF REMOVED ACTION

1. On or about May 28, 2019, Plaintiff filed a Complaint in the Circuit Court of Wetzel County, West Virginia, Civil Action No. 19-C-45, naming Columbia Gas Transmission, LLC as Defendant.

2. In accordance with 28 U.S.C. § 1446(a) and Federal Rule of Bankruptcy Procedure 9027(a)(1), a copy of the docket sheet and a copy of all process, pleadings, and orders served upon the Defendant in the state court action are attached hereto as **Exhibit A**.

II. TIMELINESS OF REMOVAL

3. This civil action was filed on May 28, 2019, served on Defendant's agent for service of process by appointment, Corporation Service Company, on May 30, 2019. *See Exhibit B*, Affidavit for Service of Complaint to Foreclose Mechanic's Lien. In accordance with the requirements of 28 U.S.C. § 1446(b) and Federal Rule of Bankruptcy Procedure 9027(a)(3), this Notice of Removal is timely filed within thirty (30) days after receipt of service of Plaintiffs' Complaint. *See Elliott v. Am. States Ins. Co.*, 883 F.3d 384, 391 (4th Cir. 2018) ("The general rule, as established by the Supreme Court in *Murphy Brothers[Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344, 347-48 (1999)], is that the time for counting the days for filing notice of removal under § 1446(b) starts when the defendant is formally served with the summons and complaint making the defendant an official party to the action and requiring the defendant to appear.").

III. PROPRIETY OF VENUE

4. Venue is proper in this district and division under 28 U.S.C. §§ 1441(a) and 1452(a), because the state court where the suit has been pending is located in this district and this division.

IV. BASIS OF REMOVAL

5. Removal in this case is proper pursuant to 28 U.S.C. § 1441(a), which provides that "any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district

court of the United States for the district and division embracing the place where such action is pending,” as well as 28 U.S.C. § 1452, which provides that “[a] party may remove any claim or cause of action in a civil action other than a proceeding before the United States Tax Court or a civil action by a governmental unit . . . to the district court for the district where such civil action is pending . . .”

6. In this case, federal jurisdiction is founded upon bankruptcy court jurisdiction, pursuant to 28 U.S.C. § 1334(b), because this civil action arises in and/or is related to a pending case filed under Title 11, *In re: Welded Construction, L.P.*, Case No. 18-12378 (KG) (Bankr. D. Del.) (Jointly Administered).

7. Welded Construction, L.P. (the “Debtor”), filed a Voluntary Petition under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) on October 22, 2018. See *In re: Welded Construction, L.P.*, Case No. 18-12378 (KG) (Bankr. D. Del.) (Jointly Administered) (the “Bankruptcy Case”).

8. This civil action seeks to enforce a mechanic’s lien against Defendant arising from unpaid obligations of the Debtor to Plaintiff. Furthermore, upon information and belief, Plaintiff’s mechanic’s lien may attach to property of the Debtor’s bankruptcy estate, including fixtures, appurtenances, and personal property of the Debtor situate in Wetzel County.

9. Plaintiff has filed a proof of claim in the Bankruptcy Case for the obligation of the Debtor underpinning the mechanic’s lien asserted against Defendant. See Claim No. 44. Upon information and belief, the amount of Plaintiff’s claim is in dispute. Determination of the amount of Plaintiff’s claim against the Debtor—and the amount of the claim that will be allowed and paid from the Debtor’s estate—is necessary to determine what amount, if any, Plaintiff can seek to recover from Defendant through enforcement of its purported mechanic’s lien.

10. Pursuant to 28 U.S.C. §1334(b), the civil action “arises in” the Debtor’s Bankruptcy Case and is, thus, a “core proceeding.” *See In re Mid-Atlantic Resources Corp.*, 283 B.R. 176, 186–89 (S.D. W. Va. 2002) (upholding the bankruptcy court’s decision denying a motion to remand in a removed case involving a mechanic’s lien asserted against non-debtor entities arising from obligations of the debtor and finding that the action was a core proceeding).

11. The Bankruptcy Court has jurisdiction to hear and decide disputes arising in or related to the Bankruptcy Case. A determination of the amount owed to the plaintiff in the mechanic’s lien proceeding could have an effect on the proof of claim filed by the plaintiff in the bankruptcy. *See Siskin Steel & Supply Co., Inc. v. Highland North, LLC*, 2013 WL 23906, *7 (W.D. Pa. Jan. 2, 2013) (“Any recovery by Siskin in the mechanic's lien claim would necessarily reduce Siskin's claim against SIAG in the bankruptcy estate for contribution by the same amount, thus altering the liability of the SIAG bankruptcy estate.”) and *Longchamps Elec., Inc. v. Rothenberg (In re: Wrenn Assoc., Inc.)*, 2004 WL 1746117, *4 (D.N.H. July 26, 2004) (bankruptcy court exercised subject-matter jurisdiction over a subcontractor's action to recover under a mechanic's lien statute against a property owner, reasoning that it would “impact [the general contractor's] bankruptcy case because ... a subcontractor's mechanic's lien is only valid to the extent that monies are owed the general contractor,” which was the debtor in the bankruptcy case.).

12. The United States District Court for the Northern District of West Virginia found that two similar mechanic’s lien actions were “related to” the Debtor’s Bankruptcy Case, which were filed by subcontractor Earth Pipeline Services, Inc. that worked on the same Mountaineer Xpress Pipeline project that is the subject of the work in the Complaint in this case. *See “Order Transferring Case,” Earth Pipeline Services, Inc. v. Columbia Gas Transmission, LLC, Civil*

Action No. 5:19-CV-171, Doc. No. 19, at 3 (N.D. W. Va. June 26, 2019), 5:19-CV-172, Doc. No. 19, at 3 (N.D. W. Va. June 26, 2019).

13. For the same reasons, this civil action may also be removed to United States District Court for the Northern District of West Virginia (the “District Court”) under 28 U.S.C. §1452(a) because it is “related to” the Debtor’s Bankruptcy Case.

14. Pursuant to 28 U.S.C. §157 and the Amended Standing Order of Reference entered in the District Court miscellaneous proceeding no. 5:13-MC-12 on April 2, 2013, the District Court has referred all matters arising in or related to a case under Title 11 to the bankruptcy judges for the District Court. This includes this civil action.

15. This civil action is a “core proceeding” that arises in the Bankruptcy Case within the meaning of 28 U.S.C. §§ 157(b) and 1334(b) and, to the extent that this Court finds that this civil action is not a “core proceeding,” the civil action is at least a “non-core proceeding” that invokes the “related to” jurisdiction of the bankruptcy courts pursuant to 28 U.S.C. §§ 157, 1334, and 1452.

16. Defendant consents to entry of final orders or judgment by the bankruptcy courts.

V. OTHER REMOVAL ISSUES

17. Pursuant to 28 U.S.C. § 1446(a) and Federal Rule of Bankruptcy Procedure 9027(a)(1), a copy of all process, pleadings, and orders served upon the Defendant is attached hereto as “Exhibit A” along with a copy of the docket sheet from the Circuit Court of Wetzel County, West Virginia.

18. A Notice of Filing of Notice of Removal will be filed this day with the Circuit Clerk of Wetzel County, West Virginia and served on the Plaintiff.

WHEREFORE, the Defendant, by counsel, respectfully advises that this civil action has been removed from the Circuit Court of Wetzel County, West Virginia, to the United States Bankruptcy Court for the Northern District of West Virginia, and that this Court shall assume jurisdiction over this action.

COLUMBIA GAS TRANSMISSION, LLC,
By Counsel

**STEPTOE & JOHNSON PLLC
Of Counsel**

/s/ John J. Meadows
John J. Meadows (WV State Bar ID No. 9442)
Devon J. Stewart (WV State Bar ID No. 11712)
Chase Tower, Seventeenth Floor
707 Virginia Street, East
Post Office Box 1588
Charleston, WV 25326-1588
Telephone: (304) 353-8154
Facsimile: (304) 353-8180
John.Meadows@steptoe-johnson.com
Devon.Stewart@steptoe-johnson.com

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
WHEELING DIVISION**

In re:)	
	)	Chapter 11
WELDED CONSTRUCTION, L.P.)	
	)	Case No. 18-12378 (KG) (Bankr. D. Del.)
Debtor.)	
	)	(Jointly Administered)
)	
<hr/>)	
WORLDWIDE MACHINERY, LTD.,)	
)	
Plaintiff,)	
)	
v.	)	Civil Action No. _____
	)	(Removal from Circuit Court of Wetzel
COLUMBIA GAS TRANSMISSION,	)	County, Civil Action No. 19-C-45)
LLC,)	
Defendant.)	
)	
<hr/>)	

CERTIFICATE OF SERVICE

I hereby certify that on June 27, 2019, I electronically filed the foregoing "*Notice of Removal*" with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel of record, provided they are CM/ECF participants. In addition, I have further mailed complete copies of these filings to counsel below via First Class US Mail:

Arthur W. Zamosky,, Esq.
Suite 2200 Gulf Tower, 707 Grant Street
Pittsburgh, PA 15219
(412) 456-8100 (phone)
(412) 456-8135 (fax)
azamosky@bernsteinlaw.com
Counsel for Plaintiff

/s/ John J. Meadows

IN THE CIRCUIT COURT OF

WETZEL

COUNTY, WEST VIRGINIA

CIVIL CASE INFORMATION STATEMENT
(Civil Cases Other than Domestic Relations)

I. CASE STYLE:**Plaintiff(s)**

Worldwide Machinery LTD

Case No. 19-C-45Judge: Hummel**vs.****Defendant(s)**

Columbia Gas Trans. Corp, now known as Columbi

Name

c/o Corporation Service Company

Street Address

209 W Washington Street Kanawha Cty WV 23502

City, State, Zip Code

**Days to
Answer**

20

Type of Service

Certified Mail

II. TYPE OF CASE:

- General Civil
 Mass Litigation [*As defined in T.C.R. 26.04(a)*]
 Asbestos
 FELA Asbestos
 Other: _____
 Habeas Corpus/Other Extraordinary Writ
 Other: _____

- Adoption
 Administrative Agency Appeal
 Civil Appeal from Magistrate Court
 Miscellaneous Civil Petition
 Mental Hygiene
 Guardianship
 Medical Malpractice

III. JURY DEMAND: Yes No CASE WILL BE READY FOR TRIAL BY (Month/Year): /

**IV. DO YOU OR ANY
OF YOUR CLIENTS
OR WITNESSES
IN THIS CASE
REQUIRE SPECIAL
ACCOMMODATIONS?**

 Yes No**IF YES, PLEASE SPECIFY:**

- Wheelchair accessible hearing room and other facilities
 Reader or other auxiliary aid for the visually impaired
 Interpreter or other auxiliary aid for the deaf and hard of hearing
 Spokesperson or other auxiliary aid for the speech impaired
 Foreign language interpreter-specify language: _____
 Other: _____

Attorney Name: Arthur Zamosky, Esq

Firm: Bernstein Burkley P.C.

Address: 707 Grant Street Pgh PA 15219

Telephone: (412) 456-8100

Representing:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Plaintiff | <input type="checkbox"/> Defendant |
| <input type="checkbox"/> Cross-Defendant | <input type="checkbox"/> Cross-Complainant |
| <input type="checkbox"/> 3rd-Party Plaintiff | <input type="checkbox"/> 3rd-Party Defendant |

 Proceeding Without an AttorneyOriginal and 1 copies of complaint enclosed/attached.Dated: 5/23/19Signature: 

IN THE CIRCUIT COURT OF WETZEL COUNTY, WEST VIRGINIA

WORLDWIDE MACHINERY, LTD.,

Claimant/Plaintiff

Case No.

vs.

COLUMBIA GAS TRANS. CORP., now
known as COLUMBIA GAS
TRANSMISSION, LLC,

Owner/Defendant

COMPLAINT TO FORECLOSE MECHANIC'S LIEN

AND NOW comes Claimant/Plaintiff Worldwide Machinery, Ltd., by counsel, Bernstein-Burkley, P.C., and files the following Complaint to Foreclose the Mechanic's Lien which was filed on February 22, 2019, with the Clerk of the Wetzel County Commission, at Instrument No. 264296, Book 7 at page 265, in the amount of \$55,028.58, averring in support thereof the following:

1. Plaintiff, Worldwide Machinery, Ltd. ("Claimant"), is a corporation organized and existing under the laws of the State of Texas, with a place of business located at Aurora, Colorado.

2. Defendant, Columbia Gas Trans. Corp. now known as Columbia Gas Transmission, LLC ("Owner"), is a limited liability company, organized and existing under the laws of the State of Delaware, and having a registered address c/o Corporation Service Company, 209 W. Washington Street, Charleston, Kanawha County, West Virginia 23502, and is also the record owner of the premises designated as Parcel ID No. 05 20003400000000 (5-20-

34), District 5 Green, Map 20, Parcel 34, situate in County of Wetzel, State of West Virginia, as more particularly described in that certain deed dated June 30, 1971 from The Manufacturers Light and Heat Company to Columbia Gas Trans Corporation, as recorded in the Wetzel County Courthouse by Book 263, Page 164 (hereinafter the “Liened Property”).

3. Contractor, Welded Construction, L.P. (“Contractor”), is limited partnership organized and existing under the laws of the State of Delaware that has a registered address c/o CT Corporation Systems, 1627 Quarrier Street, Charleston, Kanawha County, West Virginia 25311, who contracted with Owner to perform a pipeline installation on the Mountaineer Express Pipeline Project (the “Project”) located in Wetzel County, West Virginia, more specifically identified as Parcel ID No. 05 20003400000000 (5-20-34), District 5 Green, Map 20, Parcel 34, situate in County of Wetzel, State of West Virginia, as more particularly described in that certain deed dated June 30, 1971 from The Manufacturers Light and Heat Company to Columbia Gas Trans Corporation, as recorded in the Wetzel County Courthouse by Book 263, Page 164 (the “Liened Property”).

4. Contractor subcontracted the furnishing of equipment necessary to complete pipeline installation work at the Liened Property to the Claimant through October 31, 2018, for a subcontract amount of \$55,028.58.

5. Claimant’s Mechanics’ Lien relates to equipment provided by Claimant as a Subcontractor, as defined by W. Va. Code § 38-2-2, to the Contractor upon the Liened Property, being more fully described as aforesaid in paragraph 2, *supra*.

6. On or about October 31, 2018, Claimant last supplied equipment to Owner

for completion of pipeline installation upon the Liened Property.

COUNT I - QUANTUM MERUIT

7. Claimant incorporates herein by reference thereto each of the preceding paragraphs of this Complaint as if the same were more fully set forth herein in their entirety.

8. At all times pertinent to the events referred to *supra*, Owner knew, or reasonably should have known that Claimant was performing the subcontracted work, as subcontracted for by Contractor, on behalf of Owner, with Claimant.

9. At no time during this process, did Owner or Contractor or any of their representatives, advise or otherwise contend, in any way, that the equipment supplied by Claimant was in dispute or unsatisfactory.

10. A complete set of the invoices from Claimant reflecting the equipment provided by Claimant on the Project, to the benefit of the Owner, is included with the true and correct copy of Claimant's Mechanic's Lien against the Liened Property, which is attached hereto as Exhibit "1" and made a part hereof.

11. Claimant has been paid only a portion of the invoices submitted by Claimant.

12. Claimant has fully and satisfactorily discharged all of its contractual duties by providing the necessary equipment to Owner and Contractor related to the Project.

13. Owner did not at any time instruct Claimant to cease providing equipment to the Project, but to the contrary, Owner was well aware of the nature and extent of Claimant's equipment being provided to the Owner's Project and permitted Claimant to continue its work.

14. The aforementioned equipment provided by Claimant benefitted Owner by fulfilling a significant part of Contractor's contractual obligations to Owner.

15. The fair and reasonable value of the unpaid equipment use provided by Claimant for Owner is in excess of \$55,000.00.

16. Owner has been unjustly enriched by its receipt of the benefit of the equipment, provided by Claimant.

17. Claimant has not received a corresponding benefit from Owner for Claimant's performance.

18. Despite Claimant's demands, Owner has failed and refused to pay Claimant for the benefit Owner received, as set forth above.

19. To the extent that Owner has benefitted from the equipment of Claimant without having paid for it, Owner has become unjustly enriched at Claimant's expense.

20. It would be unconscionable and inequitable to allow Owner to receive the benefit of the aforementioned equipment usage for pipeline installation without payment to Claimant and, accordingly, Owner is liable to Claimant for the value of the equipment and material provided by Claimant.

WHEREFORE, Claimant Worldwide Machinery, Ltd. respectfully requests that this

Honorable Court enter judgment in its favor and against Owner Columbia Gas Trans Corp., now known as Columbia Gas Transmision, LLC in an amount in excess of \$55,000.00 plus interest, costs, attorney's fees and such other and further relief as is just and proper.

COUNT II – ENFORCEMENT OF MECHANIC'S LIEN

21. Claimant filed its Mechanic's Lien pursuant to W. Va. Code § 38-2-7, with the Clerk of the Wetzel County Commission on February 22, 2019, at Instrument No. 264296, Book 7 @ Page 265. A true and correct copy of Claimant's Mechanic's Lien is attached hereto, marked Exhibit "1," and made a part hereof.

22. Claimant served notice of the filing of its Mechanic's Lien and a copy of its Mechanic's Lien, upon the Owner's registered agent through the Office of the Secretary of State of West Virginia on or about March 12, 2019. A true and correct copy of the Secretary of State's letter acknowledging service of the Claimant's Mechanic's Lien is attached hereto as Exhibit "2" and made a part hereof.

23. Additionally, Claimant served notice of the filing of its Mechanic's Lien and a copy of its Mechanic's Lien, upon the Owner, via certified mail, return receipt requested, on March 7, 2019. True and correct copies of Plaintiff's counsel's letter to Owner of March 4, 2019, along with proof of mailing of certified mail, and proof of delivery of certified mailing on March 7, 2019 obtained from the U.S. Postal Service's internet website are attached hereto, collectively marked Exhibit "3" and made a part hereof.

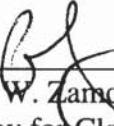
24. Despite the performance of all conditions precedent by Claimant, the aforesaid

Mechanic's Lien remains unsatisfied, and Claimant brings this action in accordance with W. Va. Code § 38-2-34 to enforce its Mechanic's Lien.

25. The unpaid principal amount due and owing to Plaintiff on account of the aforesaid Statement of Mechanics' Lien Claim is \$55,028.58.

WHEREFORE, Claimant/Plaintiff, TP Electric, Inc., demands Judgment on Count II of this Complaint, to enforce its Mechanic's Lien in the amount of \$55,028.58 against the Liened Property owned by Owner/Defendant and designated as Parcel ID No. 05 20003400000000 (5-20-34), District 5 Green, Map 20, Parcel 34, situate in County of Wetzel, State of West Virginia, as more particularly described in that certain deed dated June 30, 1971 from The Manufacturers Light and Heat Company to Columbia Gas Trans Corporation, as recorded in the Wetzel County Courthouse by Book 263, Page 164, and requests this Honorable Court to order a sale of the Liened Property on which Claimant/Plaintiff's lien is established, or so much thereof as may be sufficient to satisfy said Mechanic's Lien.

BERNSTEIN-BURKLEY, P.C.

By: 
Arthur W. Zamosky, Esquire
Attorney for Claimant/Plaintiff
WV ID #10905
Suite 2200 Gulf Tower
707 Grant Street
Pittsburgh, PA 15219
Telephone: (412) 456-8100
Facsimile: (412) 456-8135
Email: azamosky@bernsteinlaw.com
BERNSTEIN-BURKLEY FILE NO.
2181-WV002

Wetzel County
Carol S Haught, Clerk
Instrument 264296
02/22/2019 @ 12:54:32 PM
MECHANICS LIEN
Book 7 @ Page 265
Pages Recorded 19
Recording Cost \$ 26.00

Notice of Mechanic's Lien

To:

Columbia Gas Trans Corp.
P.O. Box 1273
Charleston, WV 25325

and

Columbia Gas Trans Corp.
c/o Corporation Service Company
209 W. Washington Street
Charleston, WV 25302

2019 MAY 26 AM 10:59

You will please take notice that the undersigned Claimant, Worldwide Machinery, Ltd., was and is a supplier to Welded Construction, L.P., which was general contractor for the Mountaineer Express Pipeline Project (the "Project"), for the furnishing of equipment necessary to complete the pipeline installation work required in connection with the Project based on Welded Construction, Inc.'s orders submitted to Worldwide Machinery, Ltd., and subsequently providing said equipment to Welded Construction, Inc., for its contract with Columbia Gas Trans Corp., for the completion of the Project on certain real estate more particularly described on Exhibit A hereto (the "*Real Estate*"), situate in Wetzel County, West Virginia, in which you may own an interest, and that the contract price and value of said materials which remains unpaid is \$55,028.58, as of January 25, 2018, as reflected on the Invoices collectively attached hereto as Exhibit B. You are further notified that the undersigned has not been paid therefor and that Claimant Worldwide Machinery, Ltd., claims and will claim a lien upon your interest in the Real Estate and upon the buildings, structures and improvements thereon to secure the payment of the said sum.

WORLDWIDE MACHINERY, LTD., a Texas limited partnership

By: Rhonda Noll
Title: Assistant Credit Manager



BERNSTEIN - BURKLEY P.C. ATTYS AT LAW
STE 2200 GULF TOWER
PITTSBURGH PA

Notice of Mechanic's Lien

To:

**Columbia Gas Trans Corp.
P.O. Box 1273
Charleston, WV 25325**

and

**Columbia Gas Trans Corp.
c/o Corporation Service Company
209 W. Washington Street
Charleston, WV 25302**

You will please take notice that the undersigned Claimant, Worldwide Machinery, Ltd., was and is a supplier to Welded Construction, L.P., which was general contractor for the Mountaineer Express Pipeline Project (the "Project"), for the furnishing of equipment necessary to complete the pipeline installation work required in connection with the Project based on Welded Construction, Inc.'s orders submitted to Worldwide Machinery, Ltd., and subsequently providing said equipment to Welded Construction, Inc., for its contract with Columbia Gas Trans Corp., for the completion of the Project on certain real estate more particularly described on Exhibit A hereto (the "*Real Estate*"), situate in Wetzel County, West Virginia, in which you may own an interest, and that the contract price and value of said materials which remains unpaid is \$55,028.58, as of January 25, 2018, as reflected on the Invoices collectively attached hereto as Exhibit B. You are further notified that the undersigned has not been paid therefor and that Claimant Worldwide Machinery, Ltd., claims and will claim a lien upon your interest in the Real Estate and upon the buildings, structures and improvements thereon to secure the payment of the said sum.

WORLDWIDE MACHINERY, LTD., a Texas limited partnership

By: Bhonda Noll

Title: Assistant Credit Manager

STATE OF Colorado,
COUNTY OF Adams, To-wit:

Rhonda Hall, an authorized officer or agent of Worldwide Machinery, Ltd, being first duly sworn, upon his oath says that the statements in the foregoing notice of mechanic's lien are true, as he/she verily believes.

Taken, subscribed and sworn to before me this 12th day of February, 2019.

Leah White
Notary Public in, of and for the
State of Colorado

LEAH WHITE Notary Public State of Colorado Notary ID # 20184020946 My Commission Expires 05-16-2022

This Instrument Prepared by Arthur W. Zamosky, Esquire (WV ID#10905), Bernstein-Burkley, P.C., Suite 2200 Gulf Tower, 707 Grant Street, Pittsburgh, PA 15219

Exhibit "A" Property Description

Being parcel ID number 05 20003400000000 (5-20-34), District 5 Green, Map 20, parcel
34

As more particularly described in that certain deed dated June 30, 1971, from The Manufacturers
Light and Heat Company to Columbia Gas Trans Corporation, as recorded in the Wetzel County
Courthouse by Deed Book 263, Page 164.



**INVOICE
146244**

Worldwide Machinery Pipeline Division

2951 Sheridan Road | Aurora, CO 80011 | Phone: 303-341-5886 | Fax: 720-262-4494

Questions or Comments

Customer 021174
Welded Construction
PO Box 470
ap@welded.com
Perrysburg, OH 43552

Date
July 18, 2018
P.O. #
R3192

Sales Representative
Brett Simpson
Email bsimpson@wwmach.com
Phone

Job Site County
Ohio, WV

Contract #
31757

Billing Inquiries
Ryan Winslow
Email rwinslow@wwmach.com
Phone (806) 747-3792

Job Site
169 Distribution Rd - Mett 713-253-9317

Service	Price
RENTAL CHARGE - 2018 Superior D8T Pipe Carrier Arms s/n: WHPC-D8T-116	\$3,600.00

Rental Period # 3 - 7/5/2018 to 8/1/2018
Rental Rate \$3,600.00/4 week period

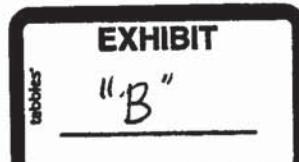
Subtotal	\$3,600.00
Sales tax	\$0.00
Total	\$3,600.00

Comments

Our payment terms are net 30 days. If invoice is not paid within this term, interest charges will accrue at 1.5% per month. Customer is responsible for remitting all sales/use taxes to the jurisdictions in which the machines are working, outside of Colorado, Wyoming, Utah and New Mexico.

Wire Remittance to:

**Worldwide Machinery Dept. 2615
P.O. Box 122615
Dallas, TX 75312-2615**





**INVOICE
146245**

Worldwide Machinery Pipeline Division

2651 Chambers Road | Aurora, CO 80011 | Phone: 303.331.9859 | Fax: 720.244.6904

Questions or Comments			
Customer 021174 Welded Construction PO Box 470 ap@welded.com Perrysburg, OH 43552	Date July 18, 2018	Sales Representative Brett Simpson Email bsimpson@wwmach.com Phone	
Job Site County Ohio, WV	P.O. # R3193	Billing Inquiries Ryan Winslow Email rwinslow@wwmach.com Phone (806) 747-3792	
Job Site 169 Distribution Rd- Mett 713-253-9317	Contract # 31758		

Service	Price
RENTAL CHARGE - 2018 Superior D8T Pipe Carrier Arms s/n: WHPC-D8T-117	\$3,600.00
Rental Period #3 - 7/5/2018 to 8/1/2018	
Rental Rate \$3,600.00/4 week period	
Subtotal	\$3,600.00
Sales tax	\$0.00
Total	\$3,600.00

Comments

Our payment terms are net 30 days. If Invoice is not paid within this term, interest charges will accrue at 1.5% per month. Customer is responsible for remitting all sales/use taxes to the jurisdictions in which the machines are working, outside of Colorado, Wyoming, Utah and New Mexico.

Wire Remittance to:

**Worldwide Machinery Dept. 2615
P.O. Box 122615
Dallas, TX 75312-2615**



**INVOICE
146469**

Worldwide Machinery Pipeline Division

2651 Chambers Road | Aurora, CO 80011 | Phone 303/341-8655 | Fax 720-262-4494

Questions or Comments

Customer 021174
Welded Construction
PO Box 470
ap@welded.com
Perrysburg, OH 43552

Date
July 25, 2018

P.O. #
R3194

Sales Representative
Brett Simpson
Email bsimpson@wwmach.com
Phone

Job Site County
Ohio, WV

Contract #
31759

Billing Inquiries
Ryan Winslow
Email rwinslow@wwmach.com
Phone (806) 747-3792

Job Site
169 Distribution Rd- Mett 713-253-9317

Service	Price
RENTAL CHARGE - 2018 Superior D8T Pipe Carrier Arms s/n: WHPC-D8T-118	\$3,600.00

Rental Period # 3 - 7/12/2018 to 8/8/2018
Rental Rate \$3,600.00/4 week period

Subtotal	\$3,600.00
Sales tax	\$0.00
Total	\$3,600.00

Comments

Our payment terms are net 30 days. If invoice is not paid within this term, interest charges will accrue at 1.5% per month. Customer is responsible for remitting all sales/use taxes to the jurisdictions in which the machines are working, outside of Colorado, Wyoming, Utah and New Mexico.

Wire Remittance to:

**Worldwide Machinery Dept. 2615
P.O. Box 122615
Dallas, TX 75312-2615**



**INVOICE
146470**

Worldwide Machinery Pipeline Division

2951 Chambers Road | Aurora, CO 80011 | Phone: 303.347.5555 | Fax: 720.262.4404

Questions or Comments

Customer 021174
Welded Construction
PO Box 470
ap@welded.com
Perrysburg, OH 43552

Date
July 25, 2018

P.O. #
R3195

Sales Representative
Brett Simpson
Email bsimpson@wwmach.com
Phone

Job Site County
Ohio, WV

Contract #
31760

Billing Inquiries
Ryan Winslow
Email rwinslow@wwmach.com
Phone (806) 747-3792

Job Site
169 Distribution Rd- Mett 713-253-9317

Service	Price
RENTAL CHARGE - 2018 Superior D8T Pipe Carrier Arms s/n: WHPC-D8T-119	\$3,600.00

Rental Period # 3 - 7/12/2018 to 8/8/2018
Rental Rate \$3,600.00/4 week period

Subtotal	\$3,600.00
Sales tax	\$0.00
Total	\$3,600.00

Comments

Our payment terms are net 30 days. If invoice is not paid within this term, interest charges will accrue at 1.5% per month. Customer is responsible for remitting all sales/use taxes to the jurisdictions in which the machines are working, outside of Colorado, Wyoming, Utah and New Mexico.

Wire Remittance to:

**Worldwide Machinery Dept. 2615
P.O. Box 122615
Dallas, TX 75312-2615**



**INVOICE
147319**

Worldwide Machinery Pipeline Division

2951 Chambers Road | Aurora, CO 80011 | Phone 303-341-5599 | Fax 720-202-4404

Questions or Comments

Customer 021174
Welded Construction
PO Box 470
ap@welded.com
Perrysburg, OH 43552

Date
August 15, 2018
P.O. #
R3192

Sales Representative
Brett Simpson
Email bsimpson@wwmach.com
Phone

Job Site County
Ohio, WV

Contract #
31757

Billing Inquiries
Ryan Winslow
Email rwinslow@wwmach.com
Phone (806) 747-3792

Job Site
169 Distribution Rd - Mett 713-253-9317

Service	Price
RENTAL CHARGE - 2018 Superior D8T Pipe Carrier Arms s/n: WHPC-D8T-116	\$3,600.00

Rental Period #4 - 8/2/2018 to 8/29/2018
Rental Rate \$3,600.00/4 week period

Subtotal	\$3,600.00
Sales tax	\$0.00
Total	\$3,600.00

Comments

Our payment terms are net 30 days. If invoice is not paid within this term, interest charges will accrue at 1.5% per month. Customer is responsible for remitting all sales/use taxes to the jurisdictions in which the machines are working, outside of Colorado, Wyoming, Utah and New Mexico.

Wire Remittance to:

**Worldwide Machinery Dept. 2615
P.O. Box 122615
Dallas, TX 75312-2615**



**INVOICE
147322**

Worldwide Machinery Pipeline Division

2851 Channah Road | Aurora, CO 80011 | Phone: 303.341.5555 | Fax: 720.262.4404

Questions or Comments

Customer 021174
Welded Construction
PO Box 470
ap@welded.com
Perrysburg, OH 43552

Date
August 15, 2018
P.O. #
R3193

Sales Representative
Brett Simpson
Email: bsimpson@wwmach.com
Phone:

Job Site County
Ohio, WV

Contract #
31758

Billing Inquiries
Ryan Winslow
Email: rwinslow@wwmach.com
Phone: (806) 747-3792

Job Site
169 Distribution Rd - Mett 713-253-9317

Service	Price
RENTAL CHARGE - 2018 Superior D8T Pipe Carrier Arms s/n: WHPC-D8T-117	\$3,600.00

Rental Period # 4 - 8/2/2018 to 8/29/2018
Rental Rate \$3,600.00/4 week period

Subtotal	\$3,600.00
Sales tax	\$0.00
Total	\$3,600.00

Comments

Our payment terms are net 30 days. If invoice is not paid within this term, interest charges will accrue at 1.5% per month. Customer is responsible for remitting all sales/use taxes to the jurisdictions in which the machines are working, outside of Colorado, Wyoming, Utah and New Mexico.

Wire Remittance to:

**Worldwide Machinery Dept. 2615
P.O. Box 122615
Dallas, TX 75312-2615**



**INVOICE
147654**

Worldwide Machinery Pipeline Division
2061 Chaparral Road | Aurora, CO 80011 | Phone: (303) 341-0655 | Fax: (720) 262-4434

Questions or Comments		
Customer 021174 Welded Construction PO Box 470 ap@welded.com Perrysburg, OH 43552	Date August 22, 2018	Sales Representative Brett Simpson Email bsimpson@wwmach.com Phone
Job Site County Ohio, WV	Contract # 31759	Billing Inquiries Ryan Winslow Email rwinslow@wwmach.com Phone (806) 747-3792
Job Site 169 Distribution Rd- Mett 713-253-9317		

Service	Price
RENTAL CHARGE - 2018 Superior D8T Pipe Carrier Arms s/n: WHPC-D8T-118	\$3,600.00
Rental Period # 4 - 8/9/2018 to 9/5/2018	
Rental Rate \$3,600.00/4 week period	
Subtotal	\$3,600.00
Sales tax	\$0.00
Total	\$3,600.00

Comments
Our payment terms are net 30 days. If invoice is not paid within this term, interest charges will accrue at 1.5% per month. Customer is responsible for remitting all sales/use taxes to the jurisdictions in which the machines are working, outside of Colorado, Wyoming, Utah and New Mexico.

Wire Remittance to:

**Worldwide Machinery Dept. 2615
P.O. Box 122615
Dallas, TX 75312-2615**



**INVOICE
147655**

Worldwide Machinery Pipeline Division

2054 Chambers Road | Aurora, CO 80011 | Phone: 303.341.5355 | Fax: 720.202.4164

Questions or Comments

Customer 021174
Welded Construction
PO Box 470
ap@welded.com
Perrysburg, OH 43552

Date
August 22, 2018
P.O. #
R3195

Sales Representative
Brett Simpson
Email: bsimpson@wwmach.com
Phone:

Job Site County
Ohio, WV

Contract #
31760

Billing Inquiries
Ryan Winslow
Email: rwinslow@wwmach.com
Phone: (806) 747-3792

Job Site
169 Distribution Rd - Mett 713-253-9317

Service	Price
RENTAL CHARGE - 2018 Superior D8T Pipe Carrier Arms s/n: WHPC-D8T-119	\$3,600.00

Rental Period # 4 - 8/9/2018 to 9/5/2018
Rental Rate \$3,600.00/4 week period

Subtotal	\$3,600.00
Sales tax	\$0.00
Total	\$3,600.00

Comments

Our payment terms are net 30 days. If invoice is not paid within this term, interest charges will accrue at 1.5% per month. Customer is responsible for remitting all sales/use taxes to the jurisdictions in which the machines are working, outside of Colorado, Wyoming, Utah and New Mexico.

Wire Remittance to:

**Worldwide Machinery Dept. 2615
P.O. Box 122615
Dallas, TX 75312-2615**



**INVOICE
148476**

Worldwide Machinery Pipeline Division

2051 Chambers Road | Aurora, CO 80011 | Phone: 303-341-6656 | Fax: 720-262-4404

Questions or Comments

Customer 021174
Welded Construction
PO Box 470
ap@welded.com
Perrysburg, OH 43552

Date
September 12, 2018
P.O. #
R3192

Sales Representative
Brett Simpson
Email bsimpson@wwmach.com
Phone

Job Site County
Ohio, WV

Contract #
31757

Billing Inquiries
Ryan Winslow
Email rwinslow@wwmach.com
Phone (806) 747-3792

Service

Price

RENTAL CHARGE - \$3,600.00
2018 Superior D8T Pipe Carrier Arms
s/n: WHPC-D8T-116

Rental Period # 5 - 8/30/2018 to 9/26/2018
Rental Rate \$3,600.00/4 week period

Subtotal	\$3,600.00
Sales tax	\$0.00
Total	\$3,600.00

Comments

Our payment terms are net 30 days. If invoice is not paid within this term, interest charges will accrue at 1.5% per month. Customer is responsible for remitting all sales/use taxes to the jurisdictions in which the machines are working, outside of Colorado, Wyoming, Utah and New Mexico.

Wire Remittance to:

**Worldwide Machinery Dept. 2615
P.O. Box 122615
Dallas, TX 75312-2615**



**INVOICE
148477**

Worldwide Machinery Pipeline Division

2940 Chamberlain Road | Aurora, CO 80011 | Phone 303.941.5656 | Fax 720.262.4494

Questions or Comments

Customer 021174
Welded Construction
PO Box 470
ap@welded.com
Perrysburg, OH 43552

Date
September 12, 2018
P.O. #
R3193

Sales Representative
Brett Simpson
Email bsimpson@wwmach.com
Phone

Job Site County
Ohio, WV

Contract #
31758

Billing Inquiries
Ryan Winslow
Email rwinslow@wwmach.com
Phone (806) 747-3792

Job Site
169 Distribution Rd- Mett 713-253-9317

Service	Price
RENTAL CHARGE - 2018 Superior D8T Pipe Carrier Arms s/n: WHPC-D8T-117	\$3,600.00

Rental Period # 5 - 8/30/2018 to 9/26/2018
Rental Rate \$3,600.00/4 week period

Subtotal	\$3,600.00
Sales tax	\$0.00
Total	\$3,600.00

Comments

Our payment terms are net 30 days. If invoice is not paid within this term, interest charges will accrue at 1.5% per month. Customer is responsible for remitting all sales/use taxes to the jurisdictions in which the machines are working, outside of Colorado, Wyoming, Utah and New Mexico.

Wire Remittance to:

**Worldwide Machinery Dept. 2615
P.O. Box 122615
Dallas, TX 75312-2615**



**INVOICE
148723**

Worldwide Machinery Pipeline Division

2851 Chambers Road | Aurora, CO 80011 | Phone 303.341.5856 | Fax 720.262.4404

Questions or Comments

Customer 021174
Welded Construction
PO Box 470
ap@welded.com
Perrysburg, OH 43552

Date
September 19, 2018
P.O. #
R3194

Sales Representative
Brett Simpson
Email bsimpson@wwmach.com
Phone

Job Site County
Ohio, WV

Contract #
31759

Billing Inquiries
Ryan Winslow
Email rwinslow@wwmach.com
Phone (806) 747-3792

Job Site
169 Distribution Rd- Mett 713-253-9317

Service

Price

RENTAL CHARGE - \$3,600.00.
2018 Superior D8T Pipe Carrier Arms
s/n: WHPC-D8T-118

Rental Period # 5 - 9/6/2018 to 10/3/2018
Rental Rate \$3,600.00/4 week period

Subtotal	\$3,600.00
Sales tax	\$0.00
Total	\$3,600.00

Comments

Our payment terms are net 30 days. If invoice is not paid within this term, interest charges will accrue at 1.5% per month. Customer is responsible for remitting all sales/use taxes to the jurisdictions in which the machines are working, outside of Colorado, Wyoming, Utah and New Mexico.

Wire Remittance to:

**Worldwide Machinery Dept. 2615
P.O. Box 122615
Dallas, TX 75312-2615**



**INVOICE
148724**

Worldwide Machinery Pipeline Division

2974 Chambers Road | Aurora, CO 80011 | Phone 303.341.5656 | Fax 720.262.4404

Questions or Comments

Customer 021174
Welded Construction
PO Box 470
ap@welded.com
Perrysburg, OH 43552

Date
September 19, 2018
P.O. #
R3195

Sales Representative
Brett Simpson
Email: bsimpson@wwmach.com
Phone

Job Site County
Ohio, WV

Contract #
31760

Billing Inquiries
Ryan Winslow
Email: rwinslow@wwmach.com
Phone (806) 747-3792

Job Site
169 Distribution Rd - Mett 713-253-9317

Service	Price
RENTAL CHARGE - 2018 Superior D8T Pipe Carrier Arms s/n: WHPC-D8T-119	\$3,600.00
Rental Period # 5 - 9/6/2018 to 10/3/2018 Rental Rate \$3,600.00/4 week period	

Subtotal	\$3,600.00
Sales tax	\$0.00
Total	\$3,600.00

Comments

Our payment terms are net 30 days. If invoice is not paid within this term, interest charges will accrue at 1.5% per month. Customer is responsible for remitting all sales/use taxes to the jurisdictions in which the machines are working, outside of Colorado, Wyoming, Utah and New Mexico.

Wire Remittance to:

**Worldwide Machinery Dept. 2615
P.O. Box 122615
Dallas, TX 75312-2615**



**INVOICE
149538**

Worldwide Machinery Pipeline Division

2134 Chambers Road | Aurora, CO 80011 | Phone: 303.541.6666 | Fax: 720.262.4594

Questions or Comments

Customer 021174 Welded Construction PO Box 470 ap@welded.com Perrysburg, OH 43552	Date October 10, 2018	Sales Representative Brett Simpson Email: bsimpson@wwmach.com Phone:
Job Site County Ohio, WV	Contract # 31757	Billing Inquiries Ryan Winslow Email: rwinslow@wwmach.com Phone: (806) 747-3792
Job Site 169 Distribution Rd - Mett 713-253-9317		

Service	Price
RENTAL CHARGE - 2018 Superior D8T Pipe Carrier Arms s/n:WHPC-D8T-116	\$3,600.00
Rental Period # 6 - 9/27/2018 to 10/24/2018	
Rental Rate \$3,600.00/4 week period	
Subtotal	\$3,600.00
Sales tax	\$0.00
Total	\$3,600.00

Comments

Our payment terms are net 30 days. If invoice is not paid within this term, interest charges will accrue at 1.5% per month. Customer is responsible for remitting all sales/use taxes to the jurisdictions in which the machines are working, outside of Colorado, Wyoming, Utah and New Mexico.

Wire Remittance to:

**Worldwide Machinery Dept. 2615
P.O. Box 122615
Dallas, TX 75312-2615**



**INVOICE
149539**

Worldwide Machinery Pipeline Division

2051 Chambers Road | Aurora, CO 80011 | Phone 303.341.5555 | Fax 720.262.4404

Questions or Comments

Customer 021174	Date	Sales Representative
Welded Construction	October 10, 2018	Brett Simpson
PO Box 470		Email bsimpson@wwmach.com
ap@welded.com		Phone
Perrysburg, OH 43552		
P.O. #		
R3193		
Job Site County	Contract #	Billing Inquiries
Ohio, WV	31758	Ryan Winslow
Job Site		Email rwinslow@wwmach.com
169 Distribution Rd- Mett 713-253-9317		Phone (806) 747-3792

Service	Price
RENTAL CHARGE -	\$3,600.00
2018 Superior D8T Pipe Carrier Arms	
s/n:WHPC-D8T-117	
Rental Period # 6 - 9/27/2018 to 10/24/2018	
Rental Rate \$3,600.00/4 week period	
Subtotal	\$3,600.00
Sales tax	\$0.00
Total	\$3,600.00

Comments

Our payment terms are net 30 days. If invoice is not paid within this term, interest charges will accrue at 1.5% per month. Customer is responsible for remitting all sales/use taxes to the jurisdictions in which the machines are working, outside of Colorado, Wyoming, Utah and New Mexico.

Wire Remittance to:

**Worldwide Machinery Dept. 2615
P.O. Box 122615
Dallas, TX 75312-2615**



**INVOICE
149787**

Worldwide Machinery Pipeline Division

2051 Chambers Road | Aurora, CO 80011 | Phone 303.361.6655 | Fax 720.262.4404

Questions or Comments

Customer 021174
Welded Construction
PO Box 470
ap@welded.com
Perrysburg, OH 43552

Date
October 17, 2018
P.O. #
R3194

Sales Representative
Brett Simpson
Email bsimpson@wwmach.com
Phone

Job Site County
Ohio, WV

Contract #
31759

Billing Inquiries
Ryan Winslow
Email rwinslow@wwmach.com
Phone (806) 747-3792

Job Site
169 Distribution Rd- Mell 713-253-9317

Service	Price
RENTAL CHARGE - 2018 Superior D8T Pipe Carrier Arms s/n:WHPC-D8T-118	\$3,600.00
Rental Period # 6 - 10/04/2018 to 10/31/2018 Rental Rate \$3,600.00/4 week period	

Subtotal	\$3,600.00
Sales tax	\$0.00
Total	\$3,600.00

Comments	Received	\$1,285.71
----------	----------	------------

Our payment terms are net 30 days. If invoice is not paid within this term, interest charges will accrue at 1.5% per month. Customer is responsible for remitting all sales/use taxes to the jurisdictions in which the machines are working, outside of Colorado, Wyoming, Utah and New Mexico.

Balance \$2,314.29
Due

Wire Remittance to:

Worldwide Machinery Dept. 2615
P.O. Box 122615
Dallas, TX 75312-2615



**INVOICE
149788**

Worldwide Machinery Pipeline Division

2951 Chambers Road | Aurora, CO 80011 | Phone: (303) 244-5666 | Fax: (720) 262-4994

Questions or Comments

Customer 021174
Welded Construction
PO Box 470
ap@welded.com
Perrysburg, OH 43552

Date
October 17, 2018
P.O. #
R3195

Sales Representative
Brett Simpson
Email: bsimpson@wwmach.com
Phone:

Job Site County
Ohio, WV

Contract #
31760

Billing Inquiries
Ryan Winslow
Email: rwinslow@wwmach.com
Phone: (806) 747-3792

Job Site
169 Distribution Rd - Mett 713-253-9317

Service

Price

RENTAL CHARGE - 2018 Superior D8T Pipe Carrier Arms s/n:WHPC-D8T-119	\$3,600.00
--	------------

Rental Period # 6 - 10/04/2018 to 10/31/2018
Rental Rate \$3,600.00/4 week period

Subtotal	\$3,600.00
Sales tax	\$0.00
Total	\$3,600.00

Comments	received	\$1,285.71
----------	----------	------------

Our payment terms are net 30 days. If invoice is not paid within this term, interest charges will accrue at 1.5% per month. Customer is responsible for remitting all sales/use taxes to the jurisdictions in which the machines are working, outside of Colorado, Wyoming, Utah and New Mexico.

Wire Remittance to:

**Worldwide Machinery Dept. 2615
P.O. Box 122615
Dallas, TX 75312-2615**

*Balance \$2,314.29
Due*

INVOICE
149788
DATE 9/4/2019
TIME 10:25:46 AM
BOOK 74 PAGE 245
PAGES RECORDED 19
RECORDING DATE 9/4/2019
RECORDING TIME 10:25:46 AM
NET TOTAL 2314.29
GROSS TOTAL 3600.00
CREDIT 1285.71
DISCOUNT 0.00
TAX 0.00
SUBTOTAL 2314.29

Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Blvd E.
Charleston, WV 25305

**** LEGAL NOTICE **
COPY**

3/15/2019 2:30 AM 11:00

USPS CERTIFIED MAIL™



9214 8901 1251 3410 0002 4899 67

COLUMBIA GAS TRANSMISSION CORPORATION NOW:
COLUMBIA GAS TRANSMISSION LLC
Corporation Service Company
209 West Washington Street
Charleston, WV 25302



Mac Warner
Secretary of State
State of West Virginia
Phone: 304-558-6000
886-767-8683
Visit us online:
www.wvsos.com

Control Number: 235871

Defendant: COLUMBIA GAS TRANSMISSION
CORPORATION NOW: COLUMBIA
GAS TRANSMISSION LLC
209 West Washington Street
Charleston, WV 25302 US

Agent: Corporation Service Company

County: State of West Virginia

Civil Action: NLM151920

Certified Number: 92148901125134100002489967

Service Date: 3/12/2019

I am enclosing:

1 notice of mechanic's lien

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in your name and on your behalf.

Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in your name and on your behalf as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, not to the Secretary of State's office.

Sincerely,

Mac Warner

Mac Warner
Secretary of State



Notice of Mechanic's Lien

To:

Columbia Gas Trans Corp.
P.O. Box 1273
Charleston, WV 25325

and

Columbia Gas Trans Corp.
c/o Corporation Service Company
209 W. Washington Street
Charleston, WV 25302

RECEIVED
MAY 12 2019
U.S. POSTAL SERVICE
CHARLESTON, WEST VIRGINIA
REGISTRATION NO. 100-113533
SEARCHED FOR PROOF OF MAILING

You will please take notice that the undersigned Claimant, Worldwide Machinery, Ltd., was and is a supplier to Welded Construction, L.P., which was general contractor for the Mountaineer Express Pipeline Project (the "Project"), for the furnishing of equipment necessary to complete the pipeline installation work required in connection with the Project based on Welded Construction, Inc.'s orders submitted to Worldwide Machinery, Ltd., and subsequently providing said equipment to Welded Construction, Inc., for its contract with Columbia Gas Trans Corp., for the completion of the Project on certain real estate more particularly described on Exhibit A hereto (the "**Real Estate**"), situate in Wetzel County, West Virginia, in which you may own an interest, and that the contract price and value of said materials which remains unpaid is \$55,028.58, as of January 25, 2018, as reflected on the Invoices collectively attached hereto as Exhibit B. You are further notified that the undersigned has not been paid therefor and that Claimant Worldwide Machinery, Ltd., claims and will claim a lien upon your interest in the Real Estate and upon the buildings, structures and improvements thereon to secure the payment of the said sum.

WORLDWIDE MACHINERY, LTD., a Texas limited partnership

By: Rhonda Noll

Title: Assistant Credit Manager

BERNSTEIN • BURKLEY
ATTORNEYS AT LAW

Nicholas D. Krawec

nkrawec@bernsteinlaw.com | (412) 456-8103

Board Certified in Creditors' Rights Law -

American Board of Certification

July 23, 2019

March 4, 2019

Via Certified Mail

Columbia Gas Trans. Corp.
P.O. Box 1273
Charleston, WV 25325

Re: Worldwide Machinery LTD
Vs: Columbia Gas Trans. Corp.
Contractor: Welded Construction
Project: Mountaineer Express Pipeline
Book No. 7, Page 265, Instrument No. 264296, Wetzel County Clerk
Our File Number: 2181-WV002

Ladies and Gentlemen:

Enclosed please find a true and correct copy of the Notice of Mechanic's Lien filed with the Clerk of Wetzel County, WV, against your property in Wetzel County, WV as specified in Exhibit "A" to the Notice of Mechanic's Lien.

Very truly yours,

BERNSTEIN-BURKLEY, P.C.



Nicholas D. Krawec

Encl.

NDK/bb

DATE: 3/4/19

CERTIFIED MAIL

TO: _____ Columbia Gas Trans. Corp. _____
P.O. Box 1273

Charleston, WV 25325

6.55

FILE NO.: 2181-1WV002
ARTICLE NO.: 9111 9690 0935 0212 1337 22

From: auto-reply@usps.com
Sent: Tuesday, March 19, 2019 4:46 PM
To: Nicholas D. Krawec
Subject: USPS® Item Delivered, Individual Picked Up at Post Office 9171969009350212133722



Hello **Nicholas Krawec**,

Your item was picked up at the post office at 6:49 am on March 7, 2019 in CHARLESTON, WV 25301.

Tracking Number: **9171969009350212133722**

Delivered, Individual Picked Up at Post Office



Tracking & Delivery Options

My Account

Visit [USPS Tracking](#) to check the most up-to-date status of your package. Sign up for [Informed Delivery](#) to digitally preview the address side of your incoming letter-sized mail and manage your packages scheduled to arrive soon! To update how frequently you receive emails from USPS, log in to your [USPS.com](#) account.

Want regular updates on your package? [Set up text alerts](#).

INFORMED DELIVERY

Sign up to view your mail online or via email.



Download USPS Mobile®





March 19, 2019

Dear Nicholas Krawec:

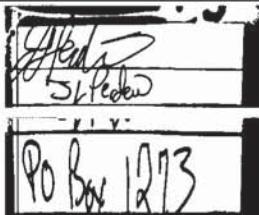
The following is in response to your request for proof of delivery on your item with the tracking number:
9171 9690 0935 0212 1337 22.

Item Details

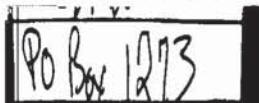
Status: Delivered, Individual Picked Up at Post Office
Status Date / Time: March 7, 2019, 6:49 am
Location: CHARLESTON, WV 25301
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic

Recipient Signature

Signature of Recipient:



Address of Recipient:



Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

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Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

[USPS.com](#) | [Privacy Policy](#) | [Customer Service](#) | [FAQs](#)

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West Virginia
Circuit Express

(/DEFAULT.ASPX)

Civil
Case Information
Second Judicial Circuit of Wetzel County

19-C-45

Judge: DAVID W. HUMMEL, JR
WORLDWIDE MACHINERY LTD VS. COLUMBIA GAS TRANSMISSION

Plaintiff(s)

Plaintiff Attorney(s)

WORLDWIDE MACHINERY

N/A

Defendant(s)

Defendant Attorney(s)

COLUMBIA GAS TRANS

COLUMBIA GAS TRANS. CORP.

COLUMBIA GAS TRANSMISSION LLC

N/A

Date Filed: 05/28/2019

Case Type: GENERAL CIVIL

Appealed: 0

Final Order Date: N/A

Statistical Close Date: N/A

<u>Line</u>	<u>Date</u>	<u>Action / Result</u>
0001	05/28/2019	CCIS & COMPLAINT TO FORECLOSE MECHANIC'S LIEN W/ EXHIBITS (1)-
0002		(3) FILED.
0003		*TIME-STAMPED COPY RETURNED TO BERNSTEIN BURKLEY, P.C.*
0004	05/28/2019	SUMMONS ISSUED (COLUMBIA GAS TRANSM. CORP.)
0005		COPY OF SUMMONS & COMPLAINT TO FORECLOSE MECHANIC'S LIEN W/
0006		EXHIBITS MAILED CERT MAIL R/R/R FOR SERVICE.
0007	05/30/2019	COPY OF COMPLAINT FAXED TO NATALIE WILLIAMS @ STEPTOE & JOHNSON
0008	05/30/2019	CERTIFIED MAIL RETURNED FOR COLUMBIA GAS TRANSMISSION CORP.
0009		"ACCEPTED" FOR/BY ?.
0010	06/07/2019	FAXED COPY OF CERTIFIED MAIL RETURN TO 412-456-8135
0011	06/07/2019	RECEIPT FOR PAYMENT OF COPIES.
0012	06/15/2019	AFFIDAVIT OF SERVICE OF COMPLAINT TO FORECLOSE MECHANIC'S LIEN

0014 *TIME-STAMPED COPY RETURNED TO BERNSTEIN & BURKLEY, P.C.*

0015 *COPY MAILED TO JUDGE HUMMEL FOR REVIEW*

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Software Computer Group | PO Box 27 | Fraziers Bottom WV 25082

IN THE CIRCUIT COURT OF WETZEL COUNTY, WEST VIRGINIA

WORLDWIDE MACHINERY, LTD.,

Claimant/Plaintiff

vs.

COLUMBIA GAS TRANS. CORP., now
known as COLUMBIA GAS
TRANSMISSION, LLC,

Owner/Defendant

Case No. 19-C-45

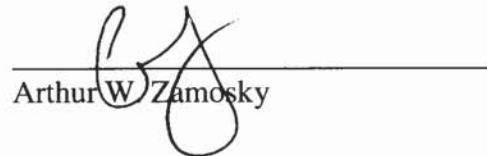
1019 550 15
MAY 30 2019
CIRCUIT CLERK

AFFIDAVIT OF SERVICE OF COMPLAINT TO FORECLOSE MECHANIC'S LIEN

Before me, the undersigned authority, a notary public, in and for said County and Commonwealth, personally appeared Arthur W. Zamosky, Esq., who being duly sworn according to law, deposes and says that:

1. He is the attorney for Plaintiff Worldwide Machinery, LTD., duly authorized to make this Affidavit.
2. A true and correct copy of the Complaint to Foreclose Mechanic's Lien was served on Owner/Defendant Columbia Gas Trans. Corp., now known as Columbia Gas Transmission, LLC, care of the Owner/Defendant's registered agent, Corporation Service Company, at 209 W. Washington Street, Charleston, WV 25302, by certified mail, return receipt requested, by the Circuit Clerk of Wetzel County, WV, on May 30, 2019.
3. A true and correct copy of the U.S. Postal Service Certified Mail Receipt, evidencing mailing of the Complaint on May 28, 2019, and a true and correct copy of the signed domestic return receipt, for article Number 7018 1130 0001 6463 2890, evidencing service of the Complaint on May 30, 2019, are attached hereto, collectively marked Exhibit "1" and made a part hereof.

4. The above information is true and correct to the best of Affiant's knowledge, information and belief.



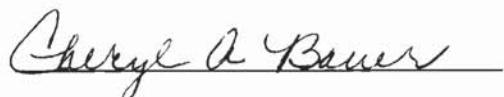
Arthur W. Zamosky

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF ALLEGHENY

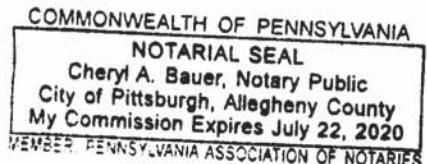
Signed and sworn to before me

on June 13, 2019 by

Arthur W. Zamosky



Cheryl A. Bauer





10/19/2018 15 AM 3:14
Worldwide
Machinery

VS.

Columbia Gas
Transmission
Corp.

19-C-45

SENDER: COMPLETE THIS SECTION		RECIPIENT: INFORMATION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete Items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 19-C-45 		<p>A. Signature: </p> <p><input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> C. Date of Delivery 5-30-19</p> <p>D. Is delivery address different from Item 2? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>1. Article Addressed to: Columbia Gas Trans. Corp. c/o Corporation Service Co. 209 W. Washington Street Kenawha City, WV 25302 Charleston, WV 25302</p> <p>9590 9402 4042 8079 0922 32</p> <p>2. Article Number (Transfer from service label) 2018 1130 0001 6463 2890</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-8053</p> <p>Domestic Return Receipt</p>			

